



Issue 2, May 2007

Dismantling barriers affecting people with disabilities

Dear Friends of Independent Living

We are pleased to declare the 2007 Legislative Session closed! We are even more pleased to share that this session brought many important victories, as you will read in the review section of this update.

On behalf of the staff and members of the State Independent Living Council, thank you for doing your part to engage in the legislative process. We deeply appreciate the emails, phone calls, and testimonies that streamed into the legislators. Your voice made a difference.

Thank you to Governor Otter and Idaho's Senators and Representatives who supported SILC priorities. Their support makes Idaho a great place for all Idahoans to live and work!

Todd Devries

Kelly Buckland



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Todd DeVries, SILC Chair
Kelly Buckland, Exec. Dir.

Hang Ten on The Web:

Find a wealth of up to the minute information on bills, processes, legislators, and more on the Idaho Legislature Home Page: **www.legislature.idaho.gov**

Ways to be a citizen lobbyist:

Write a letter to the editor of your local paper

Speak out and be visible

Donate money or time to organizations that advocate on your behalf

Copy this Legislative Update and pass it on

Contact your legislators

Alternative Formats:

Available by request.

Large print will be available only in Microsoft Word Format.

Please call 334-3800 or 1-800-487-4866 for more information.

LEGISLATIVE SCORECARDS

How did your Senators and Representatives vote in terms of SILC legislative priorities contained in this Legislative Update? The percentage equals the total number of times the Legislator voted in-line with SILC priorities, as reflected in this update, divided by the total number of pieces of legislation contained in this update, that the Legislator voted on. PLEASE NOTE that this scorecard provides one tool for measuring a Legislators support. Other factors, including technical help in developing legislation and floor sponsorship of bills, must also be considered to gain the whole picture of an individual legislator's degree of support for the disability rights movement.

LEGISLATIVE SCORECARD—SENATORS

SENATOR	FIRST NAME	CITY	DISTRICT	PARTY	% VOTES	GRADE
Andreason	John C	Boise	15	R	100	A +
Bair	Steven R.	Boise	15	R	90	A -
Bastian	Stan	Eagle	14	R	100	A+
Bilyeu	Diane	Pocatello	29	D	100	A+
Broadsword	Joyce M.	Cocolalla	2	R	100	A+
Burkett	Mike	Boise	19	D	90	A-
Cameron	Dean L.	Rupert	26	R	100	A+
Coiner	Charles H.	Twin Falls	24	R	100	A+
Corder	Tim	Mountain Home	22	R	100	A+
Darrington	Denton	Declo	27	R	100	A+
Davis	Bart M.	Idaho Falls	33	R	100	A+
Fulcher	Russell M.	Meridian	21	R	87	B+
Gannon	Tom	Buhl	23	R	100	A+
Geddes	Robert L.	Soda Springs	31	R	90	A-
Goedde	John W.	Coeur d'Alene	4	R	100	A+
Hammond	James C	Post Falls	5	R	100	A+
Heinrich	Leland	Cascade	8	R	100	A+
Hill	Brent	Rexburg	34	R	100	A+
Jorgenson	Michael	Hayden Lake	3	R	89	B+
Kelly	Kate	Boise	18	D	100	A+
Keough	Shawn	Sandpoint	1	R	100	A+

Langhorst	David	Boise	16	D	100	A+
Little	Brad	Emmett	11	R	100	A+
Lodge	Patti Anne	Huston	13	R	100	A+
Malepeai	Edgar J.	Pocatello	30	D	100	A+
McGee	John	Caldwell	10	R	100	A+
McKague	Shirley	Meridian	20	R	90	A-
McKenzie	Curt	Nampa	12	R	100	A+
Pearce	Monty J.	New Plymouth	9	R	90	A-
Richardson	Melvin M.	Idaho Falls	32	R	90	A-
Schroeder	Gary J.	Moscow	6	R	100	A+
Siddoway	Jeff C.	Terreton	35	R	89	B+
Stegner	Joe	Lewiston	7	R	100	A+
Stennett	Clint	Ketchum	25	D	100	A+
Werk	Elliot	Boise	17	D	100	A+

LEGISLATIVE SCORECARD—REPRESENTATIVES

REPRESENTATIVE	FIRST NAME	CITY	DISTRICT	PARTY	% VOTES	GRADE
Anderson	Eric	Priest Lake	1	R	100	A+
Andrus	Ken	Lava Hot Springs	29	R	100	A+
Barrett	Lenore Hardy	Challis	35	R	90	A-
Bayer	Clifford R.	Boise	21	R	100	A+
Bedke	Scott	Oakley	27	R	100	A+
Bell	Maxine T.	Jerome	26	R	100	A+
Bilbao	Carlos	Emmett	11	R	100	A+

Black	Max C.	Boise	15	R	100	A+
Block	Sharon L.	Twin Falls	24	R	100	A+
Bock	Les	Boise	16	D	100	A+
Boe	Donna H.	Pocatello	30	D	100	A+
Bolz	Darrell	Caldwell	10	R	100	A+
Brackett	Bert	Rogerson	23	R	100	A+
Bradford	Larry C.	Franklin	31	R	100	A+
Chadderdon	Marge	Coeur d'Alene	4	R	100	A+
Chavez	Liz	Lewiston	7	D	100	A+
Chew	Susan B.	Boise	17	D	100	A+
Clark	Jim	Hayden Lake	3	R	100	A+
Collins	Gary E.	Nampa	12	R	100	A+
Denney	Lawerence	Midvale	9	R	100	A+
Durst	Branden J	Boise	18	D	100	A+
Edmunson	Clete	Fruitland	9	R	100	A+
Eskridge	George E.	Dover	1	R	100	A+
Hagedorn	Marv	Meridian	20	R	100	A+
Hart	Phil	Athol	3	R	100	A+
Harwood	"Dick"	St. Maries	2	R	89	B+
Henbest	Margaret	Boise	16	D	100	A+
Henderson	Frank N.	Post Falls	5	R	100	A+
Jaquet	Wendy	Ketchum	25	D	100	A+
Killen	Bill	Boise	17	D	100	A+

King	Phylis K.	Boise	18	D	100	A+
Kren	Steve	Nampa	13	R	100	A+
Labrador	Raul R.	Eagle	14	R	100	A+
Lake	Dennis M.	Blackfoot	28	R	100	A+
LeFavour	Nicole	Boise	19	D	100	A+
Loertscher	Thomas F.	Iona	31	R	100	A+
Luker	Lynn M.	Boise	15	R	100	A+
Marriott	Jim	Blackfoot	28	R	100	A+
Mathews	Russ	Idaho Falls	33	R	100	A+
McGeachin	Janice K.	Idaho Falls	32	R	100	A+
Mortimer	Dean M.	Idaho Falls	32	R	100	A+
Moyle	Mike P.	Star	14	R	87	B
Nielsen	Pete	Mountain Home	22	R	100	A+
Nonini	Bob	Coeur d'Alene	5	R	100	A+
Pasley-Stuart	Anne	Boise	19	D	100	A+
Patrick	Jim	Twin Falls	23	R	100	A+
Pence	Donna L.	Gooding	25	D	100	A+
Raybould	Dell	Rexburg	34	R	100	A+
Ring	"Bob"	Caldwell	10	R	100	A+
Ringo	Shirley G.	Moscow	6	D	100	A+
Roberts	Ken A.	McCall	8	R	100	A+
Ruchti	James D.	Pocatello	29	D	100	A+
Rusche	John	Lewiston	7	D	100	A+

Sayler	George C.	Coeur d'Alene	4	D	100	A+
Schaefer	Robert E.	Nampa	12	R	100	A+
Shepherd	Mary Lou	Wallace	2	D	100	A+
Shepherd	Paul E.	Riggins	8	R	100	A+
Shirley	Mack G.	Rexburg	34	R	100	A+
Shively	Jerry	Idaho Falls	33	D	100	A+
Smith	Elaine	Pocatello	30	D	100	A+
Smith	Leon E.	Twin Falls	30	D	100	A+
Snodgrass	Mark A.	Meridian	20	R	100	A+
Stevenson	John A.	Rupert	26	R	100	A+
Thayn	Steven P.	Emmett	11	R	100	A+
Trail	Tom	Moscow	6	R	100	A+
Vander Woude`	John	Nampa	21	R	90	A-
Wills	"Rich"	Glenns Ferry	22	R	100	A+
Wood	Fred	Burley	27	R	100	A+
Wood	JoAn E.	Rigby	35	R	90	A-

LEGISLATIVE SCORECARD Congressional Delegation

Representatives Bill Sali and Mike Simpson and Senators Larry Craig and Mike Crapo.

National legislation regarding people with disabilities is continually reviewed by the SILC but key legislation was, once again, not voted on this year. The Rehabilitation Act is to be reauthorized every 5 years but CILs, the SILC and IDVR have been working under (and funded under) the 1998 Reauthorization of the Rehabilitation Act.

The Deficit Reduction Act is working to implement Money Follows the Person.

Vote by Mail

Bill Number: HB 94

Status: Failed

SILCs Position: Oppose

This legislation provides an option for the county commissioners to adopt a vote-by-mail system in their county that would apply to general, special, and primary elections. Ballots would be mailed to all registered voters. Mail-in ballots would contain a ballot, a return signature verification envelope, and a secrecy envelope. The SILC opposes this legislation because people who cannot fill out a paper ballot would lose their right to vote independently and privately. Voting by mail is already available to those who request a mail in ballot. Closing the polls would eliminate the option of going to your neighborhood polling place.

Medical Care Decisions

Bill Number: HB 119

Status: LAW

SILCs Position: Support

Last year, the legislature adopted HCR40, which directed the Idaho Department of Health and Welfare and the Attorney General to develop a form that could replace "do not resuscitate" (DNR) orders used at hospitals and other health care institutions within the State of Idaho. HCR40 also directed the Department of Health and Welfare and the Attorney General to provide for necessary statutory changes to allow for the adoption of such a form. This legislation is a follow-up response to HCR40. The "physician order scope of treatment ("POST") is what the legislature has envisioned to replace "DNR" forms. The new form would be recognized by all medical care providers and health institutions in the State of Idaho.

The SILC supports this legislation because the patient and doctor are involved in the process.

Community Health Center Grant Program

Bill Number: HB 159

Status: LAW

SILCs Position: Support

The purpose of this legislation is to create a Community Health Center Grant Fund with the intent of improving access to healthcare services through grants to qualified community health centers in their communities. This legislation defines the application requirements, the award criteria, an appeal process, and sets up a review board.

Personal Assistance Services

Bill Number: HB 167

Bill Status: LAW

SILC's Position: Support

This legislation clarifies the difference between a Personal Assistance Services Agency and a Fiscal Intermediary Agency. Fiscal Intermediary services were developed to give consumers of personal assistance services control over their employees; however, the way the original legislation was written, agencies or organizations providing fiscal intermediary services were forced to become personal assistance agencies first. This created a conflict for agencies, consumers, and the Idaho Department of Health and Welfare. There are also some changes in this legislation to make the administration of the Personal Assistance Services program less complicated.

Medicaid Benefits Revised

Bill Number: HB 168

Bill Status: LAW

SILC's Position: Support

This proposal amends Chapter 2, Title 56, Idaho Code, by updating terms and references consistent with the Deficit Reduction Act of 2005 and the federal government's approval of Idaho's Medicaid state plan amendments to modernize its' program. The amendments also specifically identify the Idaho Residency Programs as essential Medicaid providers. These providers were unintentionally left out of the statute even though they have been Medicaid providers for decades. There is no fiscal impact associated with these changes. The amendments align state statute with federal law and the newly identified providers are existing provider programs.

Human Rights Recognition

Bill Number: HCR 008

Bill Status: Adopted

SILC's Position: Support

This resolution states the findings of the legislature that the State of Idaho is committed to principles of human rights and recognizes the unique value of the human character in its great diversity and wealth of variety.

Developmental Disability Services

Bill Number: HCR 015

Bill Status: Adopted

SILC's Position: Support

This resolution encourages the Idaho Department of Health and Welfare in collaboration with the Idaho Council on Developmental Disabilities, to convene a task force to design and develop a new Medicaid model that would permit families of minor children with developmental disabilities a different way of receiving services. The services would be based on need as determined by a child-centered, family-directed plan and would cost no more, on average, than the present costs for these services for the same number of children. The work of this task force would build on a preliminary study as the result of direction from the 2006 legislative intent language affixed to the Medicaid appropriation. Implementation of this model will require the Department of Health and Welfare to submit a request to the federal Centers on Medicare and Medicaid for approval.

Disability History Month

Bill Number: HCR 22

Status: Adopted

SILCs Position: Support

The purpose of this resolution is to increase the awareness and understanding of the history and con

tributions of people with disabilities and by designating October as "Disability History Month." This resolution would encourage instruction on disability history, people with disabilities, and the disability rights movement into the public school curriculum. The provisions of this act are not intended to create a burden, financial or otherwise, for public schools, teachers, or state institutions of higher education. The SILC drafted and sponsored this legislation.

Self-pity is our worst enemy and if we yield to it, we can never do anything good in the world.
Helen Keller

Disabled Persons Hunting from a Vehicle

Bill Number: SB 1011

Status: LAW

SILCs Position: Support

This bill would amend existing law relating to the Idaho Department of Fish and Game to revise terminology relating to special permits authorizing people with physical disabilities to hunt from motorized vehicles which are not in motion. Currently, the criteria for physical disability for a person to acquire a disability license to hunt and/or fish is different than disability criteria used to acquire a permit to hunt from a motorized vehicle. The Hunt from Motorized Vehicle permit is free excluding the vendor fee.

Long-Term Partnership Program

Bill Number: SB 1102

Status: Failed

SILCs Position: Under Study

Amends existing law relating to the long-term care partnership program to prohibit the consideration of certain resources of individuals who have received or are entitled to receive benefits under a long-term care partnership program policy. This bill would bring Idaho law into compliance with federal law relating to long-term care partnership program policies, which provides:

Those receiving long-term care services on a policy would have assets and resources disregarded;

The State shall seek from an individual's estate; adjustments or recovery for long-term care services received by an individual;

These two items further modify Medicaid rules by the Department so that it will be in compliance with the Federal Deficit Reduction Act of 2005.

Juvenile/Substance Abuse Assessments

Bill Number: SB 1142

Bill Status: LAW

SILC's Position: Support

This legislation is a recommendation of the Interim Committee on Mental Health and Substance Abuse that met during the past summer and fall of 2006. This legislation adds a new paragraph to the Sentencing Chapter of the Juvenile Correction Act of the Idaho Code that deals with substance abuse. The changes allow judges some broadened sentencing and treatment options. This bill allows judges to order a substance abuse assessment, and based on the assessment, order a juvenile to receive substance treatment based on a treatment plan approved by the court. This legislation will cut back on the number of juvenile's with mental illness or substance abuse being incarcerated.

Children's Mental Health/Substance Abuse

Bill Number: SB 1143

Status: LAW

SILCs Position: Support

This bill would amend existing law relating to regional mental health services to revise provisions applicable to development grants for mental health and substance abuse treatment services. This bill modifies and expands the state mental health authority grant program to include substance abuse services. This would authorize grant awards for multi-disciplinarian proposals that encompass the Department of Corrections, Juvenile Corrections, and the courts as well as the regional mental health boards.



Children's Mental Health/At Risk Teens

Bill Number: SB 1147

Bill Status: LAW

SILC's Position: Support

The purpose of this act is to create a three-year pilot project to establish a new model for providing Idaho school districts with clinically trained substance abuse and mental health specialist counselors and specialist social workers to address critical shortages in mental health and substance abuse practitioners and treatment services for teens in Idaho's rural areas. The SILC supports this bill because at risk teens with mental illness and substance abuse issues will have access to preventative services in Idaho's school districts which are located in rural areas throughout the state.

Substance Abuse/Mental Health Treatment

Bill Number: 1149

Bill Status: LAW

SILC's Position: Support

This legislation is a recommendation of the Interim Committee on Mental Health and Substance Abuse that met during the summer and fall of 2006. This legislation adds a new section to Idaho Code that deals with substance abuse and mental health treatment and allows judges some broadened options. The legislation allows a judge to order a substance abuse assessment and/or mental health examination for certain convicted felons and felony parole violators that appear before the court. Based on the results of an assessment or examination, and if the court places the defendant on probation, a judge may order, as a condition of probation, that the defendant undergo treatment consistent with a treatment plan contained in the assessment or examination report. A treatment plan would be subject to modification by the court.

Idaho Security Medical Program

Bill Number: SB 1213

Bill Status: LAW

SILC's Position: Support

This bill amends existing law relating to the Idaho Security Medical Program. The State Board of Corrections shall operate, establish, and maintain a program for persons displaying evidence of mental illness and who require diagnostic services. This bill calls for an Administrator to be designated to oversee and act as a consultant for this program. The SILC supports this legislation because people living with mental illness in the correctional system would have access to treatment. This would allow individuals with mental illness the ability to live more independently upon

release back into their communities.



"Boss, I'm still out trying to land some customers. See you back at the office."



American Sign Language (ASL), coursework

Bill Number: SCR 102

Bill Status: Adopted

SILC'S Position: Support

This concurrent resolution encourages Idaho public schools and public and private institutions of higher education to recognize American Sign Language (ASL) coursework as foreign language credit and encourages the State Board of Education, and the U.S. Department of Education, and the Council on the Deaf and Hard of Hearing to confer, collaborate, and provide information for the inclusion of American Sign Language as a foreign language credit in high school to determine ways and incentives in which public and private institutions of higher education might be encouraged to accept successfully completed coursework in ASL for foreign language credit.

Deaf Children's Unique Educational Needs

Bill Number: SCR 103

Bill Status: ADOPTED

SILC's Position: Support

This resolution encourages the legislature to recognize the educational needs of children who are deaf or hard of hearing such as:

Children who are deaf or hard of hearing have the right to be

independent;

Children with hearing impairments benefit from early treatment and;

Children with hearing impairments benefit from interaction with adults with hearing impairments.

Mental Health Substance Abuse

Bill Number: SCR 108

Status: Adopted

SILCs Position: Support

This resolution is a recommendation of the Interim Committee on Mental Health and Substance Abuse which met during the summer and fall of 2006. This resolution recommends that Legislative Council initiate an independent contract regarding the implementation plan for the improvement of Idaho's current mental health and substance abuse treatment delivery system. The plan would assess the treatment capacity, cost, eligibility standards, and areas of responsibility of Idaho's current treatment systems and would make recommendations for the coordination and re-alignment of those systems. This resolution specifies at least seven components to be considered by the plan and directs that the final report and recommendations be delivered to the legislature next year.

Substance Abuse/Mental Health Assessments

Bill Number: SCR 109

Status: Adopted

SILCs Position: Support

This concurrent resolution is a recommendation of the Interim Committee on Mental Health and Substance Abuse which met during the summer and fall of 2006. This resolution recommends that the state agencies involved in substance abuse and mental health treatment within the state collaborate to develop and adopt a standard statewide assessment tool for substance abuse and one for mental health. This resolution specifies and directs that the final assessment tools be reported to the Legislative Health Care Task Force by January 1, 2008. After full implementation, these assessment tools are expected to result in a significant savings to the state.

SILC RECEIVES GRANT TO INCREASE ACCESS IN IDAHO TO DOMESTIC AND SEXUAL ASSAULT SERVICES FOR WOMEN WITH DISABILITIES

Robbi Barrutia, SILC, Project Director, OVW Grant

The U.S. Department of Justice Office on Violence Against Women designated Idaho as the recipient of a collaborative agreement to develop and implement an innovative approach to ending violence against women with disabilities in Idaho.

Idaho's disability related service organizations including centers for independent living, domestic violence and sexual assault programs, and supporting groups including faith based groups. Law enforcement, legal assistance, healthcare counselors, caregivers, and families, all report both a high occurrence rate of abuse and difficulties in serving women with mental, physical, and/or emotional disabilities. "Statistics report very high levels of abuse among persons with disabilities, and as such, the obstacles preventing victims of domestic violence or sexual assault with disabilities should be eliminated." said Kelly Buckland, Executive Director, State Independent Living Council. "The domestic violence victim services programs should have a corresponding level of services to victims with disabilities."

The U.S. Department of Justice, Office on Violence Against Women, Education and Technical Assistance Grant to End Violence Against Women with Disabilities is a three year grant for \$750,000 that was awarded to Idaho State Independent Living Council, the Idaho Coalition Against Sexual & Domestic Violence, and the Boise State University Gender Studies Program. This collaborative partnership will hold statewide meetings to collect information that will assist domestic violence and sexual assault service providers in enhancing their programs to ensure that women with disabilities have access to services. "While many of Idaho's domestic violence and sexual assault victim services programs have made great strides in providing services to victims, we have not done enough for victims with disabilities," says Sue Fellen, Executive Director for the Idaho Coalition Against Sexual & Domestic Violence. "The Idaho Coalition is committed to forging partnerships and building alliances with the State Independent Living Council and other disability related organizations to problem solve to make accessible and available victim service programs in Idaho a reality. "The Idaho State Independent Living Council bears the primary responsibility for developing the State Plan for Independent Living," said Senator Mike Crapo. "SILC's mission of advocating for equal opportunity, self-determination, and choice for those with disabilities includes an emphasis on education and training for providers who move

those with disabilities from dependence to empowerment and self-sufficiency. SILC's intention to partner with the lead domestic violence organizations as well as multiple advocacy groups is a formula for success and one that I strongly support."

If you have any questions, comments or suggestions concerning accessibility to domestic violence and/or sexual assault programs please contact me at: **V/TDD (208)334-3800** or you can e-mail me at: robby.barrutia@silc.idaho.gov

If you are in immediate danger, we urge you to dial 911.

If you would like information on Domestic Violence or Sexual Assault Programs, you can call:

(208) 384-0419 or visit their website: **<http://www.idvsa.org>**

State Domestic Violence Hotline:

1-800-669-3176

National Domestic Violence Hotline

1-800-799-7233 (SAFE) or

1-800-787-3224 (TTY)

National Sexual Assault Hotline

1-800-656-4673 (HOPE)

People who treat other people as less than human must not be surprised when the bread they have cast on the water comes floating back to them; poisoned.

*James Baldwin, American Author
1924-1987*

DATES and EVENTS TO REMEMBER

STATE PLAN FOR

INDEPENDENT LIVING (SPIL)

On behalf of the SILC staff, council members and everyone who participated in the focus groups, we would like thank you for your participation in developing the SPIL for 2008-2010. The SILC and the Centers for Independent Living (CIL) are now holding the second round of focus groups to present the draft 2008-2010 SPIL, before the final version is submitted to the Federal Government. Your input has been greatly appreciated!

SILC QUARTERLY BUSINESS MEETINGS:

Are open to the public and we welcome visitors. All meetings are located in Boise. Requests for alternative formats need to be made at least 14 (working) days in advance of the meeting.

Friday, April 27, 2007

Oxford Inn & Suites

Friday, July 20, 2007

Oxford Inn & Suites

Friday, October 19, 2007

Oxford Inn & Suites